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Tarrant County Texas

Official Public Records

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Suzanne Henderson

Submitter: SIMPLIFILE

**NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.**

### REINSTATEMENT OF OIL AND GAS LEASE

STATE OF TEXAS

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COUNTY OF TARRANT

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WHEREAS, **Arlington Independent School District** ("Lessor"), an independent school district of the State of Texas located within Tarrant County, Texas (hereinafter referred to as "Lessor") whose address is 1203 W. Pioneer Pkwy, Arlington, Texas, 76013, executed an Oil and Gas Lease dated September 11, 2008, recorded as Document Number D208369034 in the Official Public Records of Tarrant County, Texas (the "Lease"), in favor of **XTO Energy Inc.** ("Lessee") covering the following tracts of land (collectively referred to herein as the "Leased Premises"):

**TRACT ONE: GUNN JUNIOR HIGH:** Being 17.93 acres more or less, out of the William Mask Survey, A-1041 in Tarrant County, Texas and being more particularly described in that certain Warranty Deed dated January 24, 1969 from Village Creek Developers to Clyde R. Ashworth, et al, Trustees of Arlington Independent School District recorded in Volume 4672, Page 954 in the Deed Records Tarrant County, Texas and in that certain Warranty Deed dated January 24, 1969 from Findlay P. Wilson, a single man, to Clyde R. Ashworth, et al, Trustees of Arlington Independent School District recorded in Volume 4672, Page 928 in the Deed Records, Tarrant County, Texas.

**TRACT TWO: FOSTER ELEMENTARY:** Being 9.12 acres more or less, out of the James W. Lane Survey, A-950 in Tarrant County, Texas and being more particularly described as Tract "C" in Block Three (3) in that certain Warranty Deed dated March 27, 1970 from Charter House Corporation to Arlington Independent School District recorded in Volume 4893, Page 486 in the Deed Records, Tarrant County, Texas.

**TRACT THREE: KEY ELEMENTARY:** Being 11.543 acres, more or less, out of the J.C. Roy Survey, A-1334 in Tarrant County, Texas and being more particularly described in that certain Warranty Deed dated January 9, 1973 from G.P. Lowder and wife, Maude Irene Lowder to The Trustees of The Arlington Independent School District recorded in Volume 5386, Page 204 in the Deed Records, Tarrant County, Texas and in the certain

Warranty Deed dated January 19, 1973 from Truman Randolph Huckabee and wife, Lois Leona Huckabee to The Trustees of The Arlington Independent School District recorded in Volume 5386, Page 218 in the Deed Records, Tarrant County, Texas.

**TRACT FOUR : SHORT ELEMENTARY:** Being 9.47 acres, more or less, out of the William Mask Survey, A-1041 in Tarrant County, Texas and being more particularly described in that certain Warranty Deed dated February 2, 1970 from Justin Lavern Bible and wife, Laura Lee Bible to the Board of School Trustees of the Arlington Independent School District recorded in Volume 4837, Page 690 in the Deed Records, Tarrant County, Texas.

**TRACT FIVE: SERVICE CENTER COMPLEX:** Being 25.891 acres, more or less, out of the A. Newton Survey, A-1161 in Tarrant County, Texas and being more particularly described in that certain Warranty Deed dated May 1, 1978 from Harold E. Patterson, Trustee, to Arlington Independent School District recorded in Volume 6474, Page 901 in the Deed Records, Tarrant County, Texas and according to Plat recorded in Volume 388-140, Page 140 Plat Records, Tarrant County, Texas.

WHEREAS, the Lease terminated as to Tracts 1, 2 and 4 (as described above) on September 11, 2010, in accordance with its own terms and provisions, but said lands have not been released of record by Lessee; and

WHEREAS, the parties wish to revive and reinstate the Lease as to Tracts 1, 2 and 4, with a new primary term of six (6) months from the date of this instrument.

NOW, THEREFORE, in consideration of the benefits and obligations of the parties hereto and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee hereby agree as follows:

The parties hereby agree that the Lease is revived and reinstated as to Tracts 1, 2 and 4 upon the same terms and conditions as set forth in the Lease, except that the reinstated lease shall have a primary term of six (6) months from the date of this instrument. Therefore Lessor, in consideration of Ten and No/100 Dollars (\$10.00) in hand paid and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, does hereby grant, lease and let exclusively unto Lessee, its successors and assigns, Tracts 1, 2 and 4, subject to the terms and provisions of the Lease, for a period of six (6) months from the date of this instrument and so long thereafter as oil, gas or other minerals granted under the terms of the Lease are produced from the leased premises or lands pooled therewith, in paying quantities, or drilling operations are in progress thereon as provided in the Lease, and the

royalties are paid as provided in the Lease. Lessor and Lessee hereby ratify, confirm and adopt the Lease and all terms and conditions contained in the Lease.

Upon execution of this Reinstatement and Extension of Oil, Gas and Mineral Lease, all terms and provisions of the Lease shall, except as expressly provided herein, remain in full force and effect.

This Reinstatement and Extension of Oil, Gas and Mineral Lease shall be binding upon and inure to the benefit of the undersigned, and their respective heirs, successors, legal representatives and assigns.

This instrument may be executed as one document signed by all the parties, or the parties named herein may join by execution of a counterpart, with the same effect as if all parties executed this instrument. Executed signature pages from different originals of this instrument may be combined to form a single original instrument for recording purposes.

EXECUTED on this 16<sup>th</sup> day of September —, 2010.


**LESSOR: Arlington Independent School District**

BY:

A handwritten signature in cursive script, appearing to read "Gloria Pena", is written over a horizontal line.

LESSEE:

XTO Energy Inc.

51   
Edwin S. Ryan, Jr.  
Senior Vice President – Land Administration

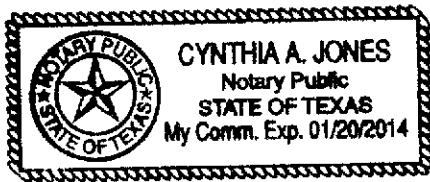
A handwritten signature in cursive script, appearing to read "Edwin S. Ryan, Jr.", is written over a horizontal line. To the left of the signature is the handwritten number "51". Below the signature line, the text "Edwin S. Ryan, Jr." and "Senior Vice President – Land Administration" are printed.

STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on this 16<sup>th</sup> day of September, 2010, by Gloria Peña, the Board President of the Arlington Independent School District, which is known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he/she executed that instrument for the purposes and consideration therein expressed, and in the capacity therein stated.

Given under my hand and seal of office this 16<sup>th</sup> day of September, 2010.

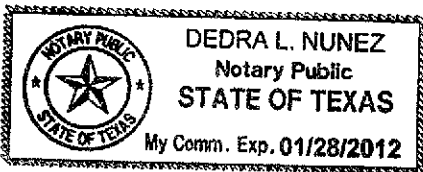


Cynthia A. Jones  
Notary Public, State of Texas

STATE OF TEXAS §

COUNTY OF Tarrant §

This instrument was acknowledged before me on this 29<sup>th</sup> day of Sept., 2010, by Edwin S. Ryan, Jr., Senior Vice President- Land Administration, for XTO Energy Inc., a Delaware corporation, on behalf of said corporation.



Dedra L. Nunez  
Notary Public, State of Texas